

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In Re: OpenAI, Inc. Copyright Infringement Litigation

This Document Relates To:

Case No. 1:23-cv-08292
Case No. 1:23-cv-10211
Case No. 1:23-cv-00084
Case No. 1:25-cv-03291
Case No. 1:25-cv-03297
Case No. 1:25-cv-03482
Case No. 1:25-cv-03843

Case No. 1:25-md-3143-SHS-OTW

ORAL ARGUMENT REQUESTED

**DEFENDANT MICROSOFT CORPORATION'S NOTICE OF MOTION AND MOTION
TO STRIKE PORTIONS OF THE CONSOLIDATED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, the undersigned hereby moves this Court on behalf of Defendant Microsoft Corporation, before the Honorable Sidney H. Stein in Courtroom 23A of the United States District Court for the Southern District of New York, Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York, 10007, for an order pursuant to Federal Rules of Civil Procedure 12(f) and 16(f) and 28 U.S.C. § 1407 striking the following allegations from the Consolidated Class Action Complaint:

- (1) allegations that are broader than the training of OpenAI's GPT models, as described below, and Microsoft's products utilizing such models (¶¶ 294, 311);
- (2) references to GPT models released before GPT-3 and after GPT-4 Turbo and their "derivatives" and/or "successors" (¶¶ 4, 5, 81-82, 89-90, 93, 96-97, 117, 127, 161); and
- (3) reference to ASIN numbers (¶ 294).

Dated: July 14, 2025

Respectfully submitted,

/s/ Annette L. Hurst

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